

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application: 09 / 767,422  
Date of Deposit: January 19, 2001  
Filing Date: January 19, 2001  
Date of Re-deposit: January 22, 2001  
Assigned Filing Date: January 22, 2001  
Title: SYSTEM AND METHOD FOR CONDUCTING ELECTRONIC  
COMMERCE  
Applicants: Schroeder et al.  
Group Art Unit: 2164  
Examiner: To Be Assigned  
Attorney Docket: 030633.0010

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Affidavit of Carol L. Treble

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STATE OF TEXAS           §  
                                  §  
COUNTY OF TRAVIS      §

After being sworn, the Affiant deposed as follows:

My name is Carol L. Treble. I am over eighteen years old, of sound mind, and competent to give this affidavit. I have personal knowledge of the facts in this affidavit, and they are believed to be true and correct.

I am currently, and on Friday, January 19, 2001, was an employee of Brobeck, Phleger & Harrison LLP, 4801 Plaza on the Lake, Austin, TX 78746. On January 19, 2001, I placed and sealed the above-captioned patent application and related correspondence (hereinafter "Patent Application") in an envelope bearing Post Office to Addressee Express Mail Mailing Label EF062434188US. I then delivered the Patent Application to Bowne Business Solutions ("Bowne"). Bowne provides office services including, but not limited to, transmittal of mail (including Express Mail) to Brobeck, Phleger & Harrison LLP. I instructed Bowne to have the Patent Application delivered to the General Mail Facility at 8225 Cross Park Drive, Austin,

EXHIBIT

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Texas 78710 (hereinafter "GMF"). I also instructed Bowne that the Patent Application was to be handed to a Post Office Clerk at the GMF so that they could fill out the Express Mail receipt - which was to be returned to us at Brobeck. On January 18, 2001, I drove to the GMF and was told by a Postal Clerk that Express Mail would be accepted as late as 9:30 p.m.

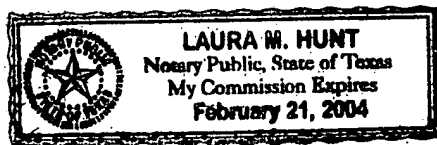
Further Affiant sayeth not.

Carol L. Treble  
Carol L. Treble

STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

BEFORE ME, the undersigned authority, on this day personally appeared Carol L. Treble, and known to me to be the person whose name is subscribed to the foregoing Affidavit, acknowledged to me that she executed the same in the capacity and for purposes and consideration therein expressed, of her own free act and deed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this, the 31<sup>st</sup> day of August, 2001.



Laura M. Hunt  
Notary Public in and for the State of Texas  
My commission expires: 2/21/04